

FILEDDEC 03 2007 *new*MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ILLINOISMARIO L. HEARPING
P.O. Box 900
Plaintiff/Petitioner(s),

-vs-

C.P.D. - 25TH DISTRICT
RICHARD DIVINE (S.A.)
STATES ATTORNEY PAUL SABIN
Defendant/Respondent(s).Case No. _____
(To be supplied by the Clerk)07CV6850
JUDGE LINDBERG
MAGISTRATE JUDGE COLE**MOTION AND AFFIDAVIT IN SUPPORT OF REQUEST
TO PROCEED IN FORMA PAUPERIS**

I, MARIO L. HEARPING, being first duly sworn, depose and say that I am the plaintiff/petitioner in the above entitled cause; that in support of my request to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or to give security therefor, and that I believe I am entitled to relief.

The nature of the action is: ☒ Civil Rights () Habeas Corpus () Appeal1. Are you presently employed? Yes () No ☒

a. If the answer is "yes", state the amount of your salary or wages per month, and give the name and address of your employer.

b. If the answer is "no", state the date of last employment and the amount of salary or wages per month which you received.

IN PRISON

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or form of self-employment?	Yes () No <input checked="" type="checkbox"/>
b. Rent payments, interest or dividends?	Yes () No <input checked="" type="checkbox"/>
c. Pensions, annuities or life insurance payments?	Yes () No <input checked="" type="checkbox"/>
d. Gifts or inheritances?	Yes () No <input checked="" type="checkbox"/>
e. Any other sources?	Yes <input checked="" type="checkbox"/> No ()

*

If the answer to any of the above is "yes", describe each source of money and state the amount received during the past twelve months.

#14.50 PER MONTH (PENITENTARY KITCHEN HELPER)

3. Do you own cash, or do you have money in a checking or savings account? Yes () No ☒ (include any funds in prison accounts). If the answer is "yes", state the total value of the items owned.

4. Do you own any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)? Yes () No ☒ If the answer is "yes", describe the property and state its approximate value.

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

NONE - JUST MYSELF

PRIOR LITIGATION

You may not bring a civil action or appeal a civil judgment under 28 U.S.C. § 1915 if you have "on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted" unless you are "under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

Have you ever filed any other lawsuits in any federal court during this or any other period of incarceration?

Yes () No ☒

If yes, please provide the following section about your prior cases. If necessary, you may attach additional pages to this form to provide all the required information about each of your prior cases. Failure to provide complete, accurate information about all your prior litigation may result in denial of your request to proceed *in forma pauperis*.

1. Case name: NONE Case Number: _____

Court: _____ Date filed: _____

Claims raised: _____

Result: _____

2. Case name: _____ Case Number: _____
Court: _____ Date filed: _____
Claims raised: _____

Result: _____
3. Case name: _____ Case Number: _____
Court: _____ Date filed: _____
Claims raised: _____

Result: _____

DECLARATION UNDER PENALTY OF PERJURY

I declare (or certify, verify or state) under penalty of perjury, that I am the plaintiff/petitioner in the above action, that I have read the foregoing Motion and Affidavit and that the information contained therein is true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621. I authorize the agency having custody of my person to withdraw funds from my prison trust account and forward payments to the Clerk of Court, in accord with 28 U.S.C. § 1915.

11/25/07
Date

Mario Heavring
Signature of Plaintiff/Petitioner